

RTI and Democracy in India

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Abstract: India is a democratic country. Democracy is the government by the people and of the people. Hence access to information needs to be ensured in a democracy for a citizen to understand the functioning of government. In India the right to information act fulfils the objective to bring in social account ability and transparency in the functioning of Indian government. It's an attempt by the government to make processor more accessible to the citizens and to gain public participation since these are crucial for citizen government interaction. Now this paper will throw some light on RTI- Right to Information and good governance and how this act is so powerful.

Key Words: RTI, country, democracy, citizen, government.

Introduction:

The passage of right to information act, 2005 represents a mile stone in Indian politics. It is a weapon in the hands of common men to fight for their rights. Any material in any form including records, document, e-mail held in any electronic form. It extends to the whole of India. It covers all the public authorities. It also covers information relating to any private body which can be accessed by a public authority under any other law for the time being in force. Democracy requires an informed citizen and transparency of information which are vital to its functioning and also to contain corruption and to hold governments and their instrumentalities accountable to the governed.

Why an RTI Act? :

Lack of transparency was one of the main causes for all pervading corruption and right to information would lead to openness account ability and integrity. Free flow of information from the government to the people will not only create an enlightened and informed public opinion but also render those in authority accountable.

Implementation of the right to information:

The central objective of right to information legislation is to bring about a structural change in the approach to governance and in relations between government and the people. It is important not to underestimate the paradigmatic significance of this change. In most countries, and India is no exception, implementation of the right to information is the first real opportunity for citizens to engage in direct, horizontal, demand-driven accountability from government. At the same time, realization of the full potential of the right to information is a long term challenge. The adoption of right to information legislation is often a hard-fought political battle but it is only a first step and implementation of the legislation is normally far more of a struggle. Change is always difficult, and imposing change often leads to resistance, normally in direct proportion to the magnitude of the change. Inasmuch as full realization of the right to information represents radical change, significant resistance may be expected.

Democracy with a relatively long experience of right to information legislation. Success in implementing the system has been mixed; although a lot of information is certainly available, at the

same time there have been serious allegations of political interference, as well as obstruction from the civil service. the right to information. Political will has also been weak, with few senior official supporters. Finally, the structural mechanisms for implementation, as provided for in the law, were weak, in particular inasmuch as they failed to provide for an independent oversight body, instead placing only limited review powers in the hands of the existing Human Rights Commission.

The goal of this Study is to provide support and ideas to the Indian authorities and in particular to the various information commissions – Central and State – as they struggle with implementation challenges. It does this both by outlining some of the key challenges faced in other countries and by providing a number of suggestions and ‘action ideas’ for consideration. These are intended to provide further food for thought rather than as specific recommendations for the Indian context, to which they would need to be carefully tailored. Although a key focus of the Study is to provide support to the information commissions in their work, the action ideas are not addressed to any particular actor. There is often scope for different stakeholders – such as NGOs, academics, the media, the legal profession and the private sector – to take ideas forward and who does what depends largely on how the underlying legislation is interpreted, where the resources lie and what institutional structures are in place. The Study demonstrates that implementation of right to information legislation poses a number of challenges. There is a need to address the culture of secrecy, which embraces not only administrative culture but also the political considerations outlined above. Training for all public officials, and particularly for information officers, is needed.

Movement for right to information:

- * Press council of India drafted a right to information bill, 1996.
- * Institute of rural development, Hyderabad also drafted a bill in 1997.
- * In 1997 January 2, Dopt established a working group under the chairmanship of Mr. HD Shouri.
- * Freedom of information bill 2000 introduced in parliament on 25 July 2000.

RTI act vital to democracy:

Delivering the address at a workshop on RTI Act organized at the collect orate conference hall on Wednesday by the district information office, Ms. Shyla said since people were of utmost importance in a democratic set-up, an Act like this was vital to completely fulfilling their right to know.

Legal advisor to the State Information Commission Sheela R. Chandran said public information ought to be given out in a democracy even without a specific law to that effect.

She said that each office should consider itself as a separate administrative unit and should interpret the Act accordingly. Ms. Chandra urged officials to approach the Act in such a way as to find ways to make available information as sought by the people.

Study on implementation of RTI Act:

In order to understand and initiate appropriate actions a study was undertaken to review the implementation of the RTI act by the Governments at all levels in the country. The main purpose of the review is to ensure that the factors constraining the implementation of the Act are overcome at an early stage of the introduction. It is expected that such a proactive approach would help the nationalisation of the Act in an effective manner and would help in ensuring that the citizens reap the intended benefits. Accordingly, the objectives and scope of the review exercise are set as under:

Objectives: To help in identification and analysis of the all the factors (Institutional, Structural, Systemic, Technological, and People) facilitating and hindering the implementation of the RTI act at various levels of the Government and recommend remedial measures for the same.

Scope of Work: Review of the experience of the central and state governments in implementing the RTI act based on systematic data collection and analysis. The experiences of the States would cover aspects related to constraints—institutional, infrastructural, and informational—faced by the information providers in responding to requests.

RTI is the biggest threat to democracy:

The preposterous order of the Central Information Commission (CIC) bringing political parties under the Right to Information (RTI) Act is a frontal attack on democracy that deserves to be condemned in the strongest terms. Our reputable political parties, who have been at the receiving end of this legislation whenever they have formed or been a part of a government, are understandably concerned at this brazen attempt to drag them into the pit of transparency and accountability. The biggest problem with the CIC ruling, in the words of RTI activist Subhash Chandra Agrawal is that it “will increase transparency in political parties, which, in turn, may help in curbing things like scams and corruption cases.” Evidently, the assumption is that financial transparency of political parties is a good thing put them behind bars on cooked up cases.

RTI is a framework built on these components:

- All students receive high-quality core content area instruction.
- All students are screened to identify those who are making adequate grade-level progress and those who are falling behind and at risk for learning difficulties.
- At-risk students are provided with immediate, research-based intervention instruction.
- At-risk students’ progress is monitored frequently to ensure the intervention is meeting their needs.
- Professional development is provided to educators to enhance the instruction and intervention they provide.

Importance of RTI Act:

Children to Free and Compulsory Education Act, which was passed by the Indian Parliament on 4 August 2009, describes the modalities of the provision of free and compulsory education for children between 6 and 14 under Article 21A of the Indian Constitution. The Act came into force on 1 April 2010 and India.

Importance of Parliamentary Democracy:

The importance of Parliamentary democracy: Democracy itself is a term neither straight forward nor simple, but rather relates essentially to the founding principles of a governing body acting in the best interest of the People by encouraging independent thinking.

India is not the first country to implement RTI:-

* India is the 48th country to implement RTI.

* U.S.A. Freedom of information reform Act 1986.

- * Sweden enjoys the right since 1810.
- * Australia freedom to information Act 1982.
- * Canada, New Zealand, South Africa.

The Role of Civil Society:

Civil society – NGOs but also the media and academics – plays a key role in promoting access to information. It often constitutes a very important requester group, particularly in the area of wider public interest requests. In many countries it is a key, often the key, source of political support for the right to information. It can be an important ally in outreach to the wider public, as well as in training public officials. And it can undertake a range of activities that help develop a strong right to information system, including legal challenges, research, including on best practices from abroad, strategic requesting to test the limits of openness, protesting bad practices, advocating for progressive implementation.

Study and observance:

This Study looks at a wide range of implementation challenges, painting a picture of some of the key hurdles and opportunities, and providing a brainstorming list of possible implementation strategies and action ideas. It is not intended to be prescriptive or even to priorities key strategies but, rather, to identify a wide range of possible options to choose from. Some may not be appropriate for the Indian context; others will. The latter still need to be adapted to fit the particular circumstances.

Conclusion:

All these instances cited here are illustrative rather than exhaustive. The right to information is of no avail for common men to curb the spate of corruption in country. Time has come to look beyond the right and devise appropriate to safeguard the interest of common men and ensure democracy throughout the nook and corner of India.

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